

VZCZCXRO3503
RR RUEHDA
DE RUEHAK #1674/01 3240658
ZNR UUUUU ZZH
R 200658Z NOV 09
FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC 1289
INFO RUEHIT/AMCONSUL ISTANBUL 6556
RUEHDA/AMCONSUL ADANA 4284
RUEAWJA/DEPT OF JUSTICE WASHDC
RUCPDOC/DEPT OF COMMERCE WASHDC
RHEFDIA/DIA WASHDC
RUEAIIA/CIA WASHDC

UNCLAS SECTION 01 OF 02 ANKARA 001674

SIPDIS
SENSITIVE

DEPT FOR EEB/TPP/IPE, EUR/SE, INL/C-CP
DEPT PLEASE PASS USTR FOR MARK MOWREY AND JENNIFER
CHOE-GROVES
DEPT PLEASE PASS USPTO FOR JOELLEN URBAN AND MICHAEL SMITH
COMMERCE FOR CHERIE RUSNAK AND HILLEARY SMITH

E.O. 12958: N/A

TAGS: ECON KCRM KIPR ETRD TU

SUBJECT: TURKISH NATIONAL POLICE CONTINUES WAR AGAINST IPR
VIOLATIONS

REF: A. ANKARA 705
1B. ANKARA 732

11. (SBU) Summary. Following several major seizures of IPR-violating goods in April and May (described in reftels), the Turkish National Police (TNP) IPR Branch continued its stepped-up assault on piracy and counterfeiting with three additional raids in June and October. These netted millions of lira worth of pirated material and literally tons of counterfeit commercial goods, and led to the arrests of more than 150 people. In all, through the first ten months of 2009, the TNP has seized over 16.3 million pirated books, CDs, and DVDs and nearly 700,000 pieces of counterfeit commercial products. They have also initiated legal proceedings against 3129 people. Despite this success, the IPR Branch continues to feel that it is receiving only lukewarm support from rights holders, media, and NGOs. In at least one case, the TNP offered to work closely with a U.S. firm on a major counterfeit goods operation targeting their products and the company turned them down. Additional efforts by the USG to encourage rights holders to work with the TNP could lead to more effective partnership and more effective enforcement of IPR. End Summary.

12. (SBU) As described in reftels, the TNP conducted major antipiracy operations in April and May. They followed up on this success with another major raid targeting pirated goods on June 1, with a raid targeting counterfeit cleaning products on October 12, and with an operation against book piracy on October 17-18.

Clearing out Pirate Nests, Cleaning Up Fake Cleaning Products

13. (U) On June 1, TNP IPR Branch officers based in Istanbul conducted concurrent raids of 106 addresses in Istanbul proper. These operations seized 2.2 million pieces of copyright-violating material and led to the arrest of 62 criminals. Police also confiscated 350 pieces of machinery used to produce infringing goods.

14. (U) On October 12, the TNP concluded a long-term operation aimed at eliminating the production of fake cleaning products. TNP officers raided 215 addresses in 18 cities, the majority of them in Istanbul. The following items were seized in the Istanbul operations:

-- Chemicals used in the production of counterfeit shampoo,

including 200 tons of packed detergents, 70 tons of soda, 100 kg of glue and 55kg of shampoo liquid;
-- 110,000 fake product labels;
-- 277,668 packages of fake shampoo, detergent, chewing gum, coffee, tea, and hygienic pads;
-- 43 machines used in the production of counterfeit cleaning products;
-- 23 computers;
-- 4 guns and 168 shotgun shells; and,
-- 3 grams of hashish.

¶15. (U) The market value of the seized goods was approximately TL 20 million (USD 13.5 million), and 93 people were arrested, of whom 50 were held following judicial hearings and 43 were released after providing testimony. The Provincial Health Directorate also sealed off a warehouse containing fake goods.

¶16. (U) On October 17-18, the TNP returned to anti-piracy operations, raiding 4 warehouses and one office in Istanbul. The following items were seized:

-- 450,000 books without banderoles produced by international publishing houses;
-- 12,005 books without banderoles produced by local publishing houses;
-- 1.4 million book templates;
-- 377,450 book covers;
-- 2,000 cases for book covers;
-- 6,885 tracing papers; and,
-- 6 printing machines.

ANKARA 00001674 002 OF 002

A Good Year for the TNP, but It Still Feels Neglected

¶17. (U) 2009 has been a good year for the TNP IPR Branch. In just ten months, they seized 16.3 million pirated books, CDs/DVDs and software and nearly 700,000 individual pieces of counterfeit goods. The street value of these products is in the hundreds of millions of dollars. They have also arrested and charged 3129 people for violations of copyright and trademark laws. Much of this success comes from a new understanding of the cost of counterfeit goods and a new willingness to use anti-organized crime laws to facilitate pro-IPR investigations (as described in Ref B). As TNP does not have the power to act *ex officio* solely to prevent violations of copyright or trademark laws, however, it is still reliant on rights holders filing a formal complaint before they can take action.

¶18. (SBU) Despite the success of the unit, they continue to feel that they are getting only lukewarm support from the private sector. Gokmen Tekin, Chief of the TNP IPR Office in Ankara, has repeatedly complained to us that media gives insufficient attention to the seizures and that rights holders are quick to complain but slow to praise. He also expressed frustration at the lack of support for specific operations. Over the summer, the TNP had asked for and received the Embassy's help in establishing contact with a large U.S. commercial goods firm, as TNP was planning a months-long operation specifically targeting counterfeiters of that company's products. The company expressed only lackluster interest in the operation and was unwilling to actively cooperate on pursuing the infringing criminals (Comment: To be fair to the company, the TNP had asked that they defray the expenses of TNP officers involved in the operation, an expense which the company reasonably concluded was part of why it pays Turkish taxes. End comment.)

¶19. (SBU) Comment: Active interest in IPR enforcement among Turkish agencies is rare enough that it should be encouraged. Post will continue to recommend to rights holders that they look to work together with the TNP and that they publicly recognize successful TNP operations when they happen. To the

extent that U.S.-based USG agencies interact with rights holders who are experiencing problems in Turkey, it may be helpful to pass along the same message. If funds for specialized IPR training become available, the TNP may also be a useful focus for further efforts. End comment.

JEFFREY

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